IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO.981 OF 1998

IN

SUMMARY SUIT NO. 3774 OF 1998

Asvin M. Desai .....**Plffs.**
vs.
Vidhi Industries Ltd and anr. .....**Defnds.**

Charul Abuwala i/b. Dave and Co. for the plffs.

Vatsal Shah i/b. Kanga and Co. for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 29TH AUGUST, 2005.

P.C. :.

1. The present summons for Judgment is filed by the plaintiff against the defendant no.1 and 2. The suit is filed against defendant no.2 on the ground that they were appointed as collecting agent on the bill of exchange. In my opinion the said cause of action cannot form part of the summary

proceedings u.Order 37 Rule 2 and thus not maintainable. In view thereof unconditional leave to defend.

2. Suit is transferred to the list of Commercial Causes. Written statement or points of defence to be filed four weeks from today. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.

SD/-

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